

TEXAS TRANSPORTATION COMMISSION

ROCKWALL County

MINUTE ORDER

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DALLAS District

In the City of Heath, on FM 740, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 41, at Page 528, in Volume 44, at Page 490, and in Volume 44, at Page 495, Deed Records of Rockwall County, Texas.

A portion of the land, described in Exhibit A, (the tract) is no longer needed for a state highway purpose.

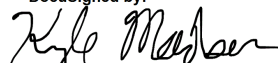
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the sale of any interest in real property no longer needed for a state highway purpose to a governmental entity with the authority to condemn the property.

The City of Heath has the authority to condemn the tract and has submitted an offer of \$229,314.

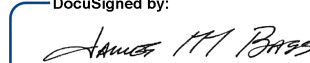
The commission finds \$229,314 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to the City of Heath, Texas for \$229,314; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Submitted and reviewed by:

DocuSigned by:  
  
BDEF0413AC9F4EC  
Director, Right of Way Division

Recommended by:

DocuSigned by:  
  
A36629BA547D4BD...  
Executive Director

115760 May 28 2020

Minute Number	Date Passed
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### Description for Surplus Tract

BEING a 0.8774 acre tract of land, situated in the Edward Teal Survey, Abstract Number 207, City of Heath, Rockwall County, Texas, and being part of a called 0.451 acre tract of land as conveyed by Fred Lawrence to the State of Texas, and being recorded on October 5, 1946, in Volume 41, Page 528, of the Deed Records of Rockwall County, Texas, (D.R.R.C.T.), and being part of a called 1.61441 acre tract of land as conveyed by T. F. Brooks, et ux, to the State of Texas, and being recorded on May 20, 1949, in Volume 44, Page 490, D.R.R.C.T., and being part of a called 2.38145 acre tract of land as conveyed by Fred Lawrence to the State of Texas, and being recorded on May 23, 1949, in Volume 44, Page 495, D.R.R.C.T., said 0.8774 acre tract of land being more particularly described by metes and bounds as follows:

**BEGINNING** at a found TxDOT Survey Aluminum Cap (Controlling Monument) at the northern most southwest corner of a tract of land called Parcel 50, as conveyed by Deed from Gilbert L. King & Sons, LP, to the State of Texas, and being recorded on March 7, 2014, as Instrument Number 20140000002974, of the Official Public Records of Rockwall County, Texas, (O.P.R.R.C.T.), being in westerly right of way line of current Farm to Market Road Number 740 (FM 740, a variable width right of way), and being in the westerly right of way line of new FM 740, and being in the eastern right of way line of old FM 740 (80 foot right of way width), and being in the eastern line of said called 2.38145 acre tract, and being in the western line of Lot 1, King Acres Addition No. 2, an addition to the County of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slide 61, of the Plat Records of Rockwall County, Texas, and being the north corner of TRACT TWO, as conveyed in a Special Warranty Deed from Gilbert L. King and Sons, L.P., to Elites Davinci Estates LCC, and being recorded on July 10, 2018, as Instrument Number 20180000012164, O.P.R.R.C.T., and having N.A.D. 83 (2011 Adjustment) Texas State Plane, North Central Zone (4202) surface coordinate of Northing 6,996,159.38 and Easting 2,592,178.43;

1. **THENCE** South  $01^{\circ} 59' 40''$  East, departing the westerly right of way line of said current FM 740 and the westerly right of way line of said new FM 740, along the eastern right of way line of said old FM 740, the eastern line of said called 2.38145 acre tract, the western line of said Lot 1, and the western line of said TRACT TWO, a distance of 163.95 feet to a TxDOT Concrete Right-of- Way Marker, found leaning (Controlling Monument), at angle point in the eastern right of way line of said old FM 740, being the southeast corner of said called 2.38145 acre tract, which is shown as Station 352+85.0, left 40 feet, in TxDOT FM 740 Right-of-Way Maps, Right of Way Control-Section-Job (RCSJ) Numbers 1014-3-5 and 1091-4-1, and being the northern most northeast corner of said called 0.451 acre tract, and also being the northern most southwest corner of said Lot 1, and the northern most southwest corner of said TRACT TWO;

## Description for Surplus Tract

2. **THENCE** South 44° 46' 05" East, continuing along the eastern right of way line of said old FM 740 and along the northeastern line of said 0.451 acre tract, and along the southwestern line of said Lot 1 and the southwestern line of said TRACT TWO, passing at a distance of 101.32 feet a found ½ inch iron rod with a yellow cap stamped "RPLS 5034", and continuing along the eastern right of way line of said old FM 740 and the northeastern line of said 0.451 acre tract and along the southwestern line of said Lot 1, for a total distance of 101.43 feet to a point, being a southwest corner of said Parcel 50, and being in the westerly right of way line of said current FM 740, and in the westerly right of way line of new FM 740;
3. **THENCE** South 45° 11' 33" West, departing the westerly right of way line of said current FM 740, the eastern right of way line of said old FM 740, and the northeastern line of said 0.451 acre tract, and the southwestern line of said Lot 1, and along the westerly right of way line of said new FM 740, over and across, said called 0.451 tract, and said called 1.61441 acre tract, a distance of 208.34 feet to a set 5/8 inch iron rod with pink cap stamped "TXDOT SURVEY MARKER, RIGHT OF WAY MONUMENT" (hereafter referred to as TxDOT Monument) in the western right of way line of said old FM 740, and in a western line of said called 1.61441 acre tract and in an eastern line of a called 13.65 acre tract of land as conveyed by a Special Warranty Deed with Vendor's Lien from The Dale and Kathleen Fleming Revocable Trust UAD July 21, 2003 to Heath Crossing, Ltd., and being recorded on November 4, 2015, as Instrument Number 20150000017663, O.P.R.R.C.T., and being in a non-tangent curve to the left with a radius of 140.50 feet;
4. **THENCE** departing the westerly right of way line of said new FM 740, in a northerly direction along said curve to the left and along the western right of way line of said old FM 740 and along a western line of said called 1.61441 acre tract and along an eastern line of said called 13.65 acre tract of land an arc distance of 33.41 feet, having a chord bearing and distance of North 04° 49' 02" East, 33.33 feet, to a 5/8 inch iron rod with a plastic cap stamped "LTRA", set, at the end of said curve, said point is shown as Station 354+68.75, right 40 feet, in TxDOT FM 740 Right-of-Way Maps, RCSJ Numbers 1014-3-5 and 1091-4-1;

## Description for Surplus Tract

5. **THENCE** North 01° 59' 40" West, continuing along the western right of way line of said old FM 740, and a western line of said called 1.61441 acre tract, and along an eastern line of said called 13.65 acre tract, and along the eastern line of a called 1.06 acre tract of land as conveyed by a Special Warranty Deed from Deana Kay Webb f/k/a Deana Kay Lindop, being the sole heir at law of Dean Lindop a/k/a Albert Dean Lindorp, Gene Lindop a/k/a Gene Allen Lindop and Dwight Lindop a/k/a Dwight Lee Lindop to Heath Crossing, Ltd., and being recorded on January 21, 2016, as Instrument Number 20160000000929, O.P.R.R.C.T, and along the eastern line of a called 0.62 acre tract of land as conveyed by a Special Warranty Deed from Tim M. Collins and Tracy S. Collins, husband and wife, to Heath Crossing, Ltd., and being recorded on January 25, 2016, as Instrument Number 20160000001074, O.P.R.R.C.T, passing at a distance of 11.04 feet a found TxDOT Concrete Right-of-Way Marker, broken, and passing a point at a distance of 182.86 feet, from which a found iron rod, bent, bears North 88° 04' 24" East, 1.22 feet, and continuing for a total distance of 525.10 feet to a Magnail, set, in the westerly right of way line of said current FM 740, and being the southern corner of a tract of land called Parcel 49, as conveyed by a Judgement of Court in Absence of Objection from Tim Collins and wife, Tracy S. Collins; and Select Portfolio Services, Inc., a Utah Corporation, Trustee through bankruptcy or subsequent Assignee of the lien interest of NAF, Inc., a dissolved Texas corporation, formally known as New America Financial, a Texas corporation, to the State of Texas, and being recorded on June 10, 2014, as Instrument Number 20140000007824, O.P.R.R.C.T., and being the beginning of a non-tangent curve to the left with a radius of 734.50 feet, from which a found TxDOT Survey Aluminum Cap (Controlling Monument) is located in the westerly right of way line of said current FM 740 at the end of a curve to the right, having an arc distance of 242.52 feet, with a radius of 734.50 feet, having a chord bearing and distance of North 09° 04' 22" West, 241.42 feet;

County: Rockwall  
Highway: Farm to Market 740  
Control-Section: 1014-03

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Description for Surplus Tract


6. **THENCE** departing the westerly right of way line of said current FM 740 and the western right of way line of said old FM 740, and a western line of said 1.61441 acre tract, in a southeasterly direction along said curve to the left, and along the westerly right of way line of said new FM 740, over and across, said called 1.61441 acre tract and said called 2.38145 acre tract, an arc distance of 195.90 feet, having a chord bearing and distance of South 26° 10' 22" East, 195.32 feet, to the **POINT OF BEGINNING** and containing 0.8774 acres or 38,219 square feet.

Basis of Bearings is the Texas State Plane Coordinate System, North American Datum 1983 (2011 Adjustment), Position (Epoch 2010), North Central Zone (4202).

All coordinates shown are surface unless otherwise noted and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000146135.

This property description is accompanied by a separate plat of even date.

I, Jonathan Cox, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

  
Jonathan Cox, R.P.L.S.      June 29, 2019      Date  
Texas Registration No. 5227  
3320 Belt Line Road  
Farmers Branch, Texas 75234  
Ph. 214-979-1144  
TBPLS FIRM NO. 10140700





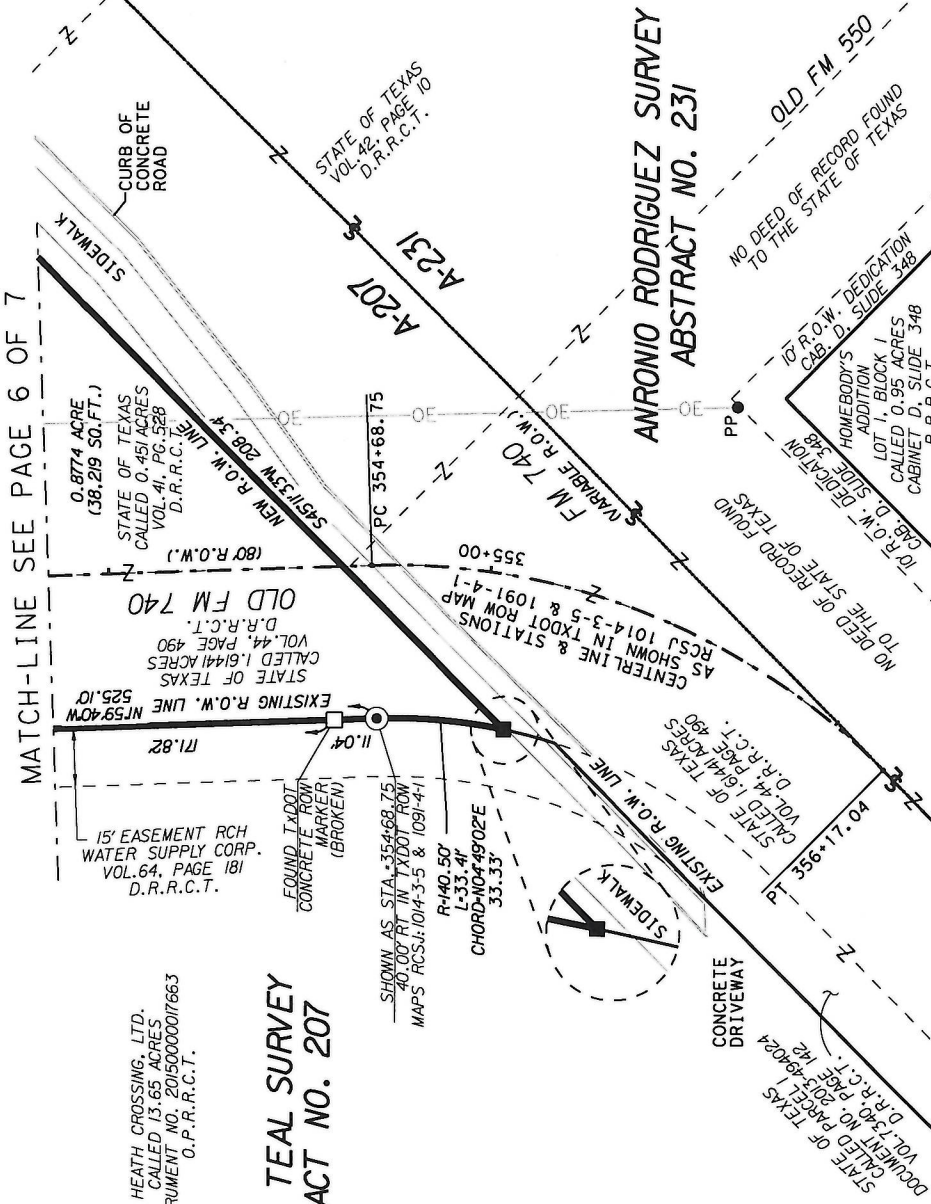




UNDER CONSTRUCTION

HEATH CROSSING, LTD.  
CALLED 13.65 ACRES  
INSTRUMENT NO. 2015000007663  
O.P.R.R.C.T.

### EDWARD TEAL SURVEY ABSTRACT NO. 207



#### LEGEND

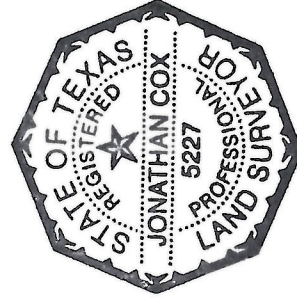
EXISTING ROW	---
PROPERTY LINE	---
PROPOSED ROW	---
SURVEY LINE	---
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED TXDOT (UNLESS NOTED OTHERWISE)	■
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH PLASTIC CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	●
CONTROLLING MONUMENT	CM

#### NOTES:

- ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 1983) 2011 ADJUSTMENT, EPOCH 2010. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000146135.
- \*\* THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
- A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

D.R.R.C.T.  
O.P.R.R.C.T.  
P.R.R.C.T.  
P.R.R.C.T.

**A PLAT OF A SURVEY OF  
SURPLUS TRACT  
FOR FM 740**  
**CONTROL SECTION: 1014-03**  
**A 0.8774 AC (38219 SQ. FT.)**  
**TRACT OF LAND IN THE**  
**EDWARD TEAL SURVEY**  
**ABSTRACT NUMBER 207**  
**ROCKWALL COUNTY, TEXAS**



*Jonathan Cox*  
June 28, 2019

Jonathan Cox, R.P.L.S.  
Texas Registration No. 5227  
Date  
LINA T. RAMEY & ASSOCIATES, INC.  
3320 Belt Line Road  
Farmers Branch, Texas 75234  
TBLPLS FIRM NO. 10140700  
PHONE 214-979-1144

**LTRA**  
**EXHIBIT "A"**  
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